

FORM PTO-1140 (Modified) (REV. 11-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER A33 PCT USA	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/486094)	
INTERNATIONAL APPLICATION NO. PCT/FR98/01814		INTERNATIONAL FILING DATE 18 August 1998		PRIORITY DATE CLAIMED 20 August 1997	
TITLE OF INVENTION GENE CODING FOR ANDROCTONINE, VECTOR CONTAINING SAME AND TRANSFORMED DISEASE-RESISTANT PLANTS OBTAINED					
APPLICANT(S) FOR DO/EO/US FREYSSINET, Georges; DEROSE, Richard; and HOFFMANN, Jules					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 8. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 9. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 10. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 					
Items 13 to 20 below concern document(s) or information included:					
<ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A change of power of attorney and/or address letter. 19. <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail 20. <input checked="" type="checkbox"/> Other items or information: 					
Form PCT/RO/101; Forms PCT/IPEA/409/416, Forms PCT/ISA/210; Forms PCT/IB/304/308 and a check in the amount of \$1,312.					
Express Mail No. EJ621295275US Date of Deposit: 18 February 2000					

09486094.071700

U.S. APPLICATION NO. (IF KNOWN) 09/7486094	INTERNATIONAL APPLICATION NO. PCT/FR98/01814	ATTORNEY'S DOCKET NUMBER A33002-PCT USA
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21. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): <input checked="" type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> <div style="text-align: right;">\$970.00</div>	CALCULATIONS PTO USE ONLY																																																																														
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;"></th> <th style="width: 20%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>39 - 20 =</td> <td>19</td> <td>x \$18.00</td> <td></td> <td>\$342.00</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$78.00</td> <td></td> <td>\$0.00</td> </tr> <tr> <td colspan="5">Multiple Dependent Claims (check if applicable). <input type="checkbox"/></td> <td>\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$1,312.00</td> </tr> <tr> <td colspan="5">Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/></td> <td>\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;">SUBTOTAL =</td> <td>\$1,312.00</td> </tr> <tr> <td colspan="5">Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 +</td> <td>\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td>\$1,312.00</td> </tr> <tr> <td colspan="5">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/></td> <td>\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td>\$1,312.00</td> </tr> <tr> <td colspan="5"></td> <td style="text-align: right;">Amount to be: refunded \$</td> </tr> <tr> <td colspan="5"></td> <td style="text-align: right;">charged \$</td> </tr> </tbody></table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	39 - 20 =	19	x \$18.00		\$342.00	Independent claims	1 - 3 =	0	x \$78.00		\$0.00	Multiple Dependent Claims (check if applicable). <input type="checkbox"/>					\$0.00	TOTAL OF ABOVE CALCULATIONS =					\$1,312.00	Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>					\$0.00	SUBTOTAL =					\$1,312.00	Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 +					\$0.00	TOTAL NATIONAL FEE =					\$1,312.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>					\$0.00	TOTAL FEES ENCLOSED =					\$1,312.00						Amount to be: refunded \$						charged \$	<input checked="" type="checkbox"/> A check in the amount of \$1,312.00 to cover the above fees is enclosed. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-4377 A duplicate copy of this sheet is enclosed.
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NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Janet M. MacLeod, Ph.D.
 Baker Botts LLP
 30 Rockefeller Plaza
 New York, NY 10112-0228

Janet M. MacLeod
 SIGNATURE
 Janet M. MacLeod
 NAME
 35,263
 REGISTRATION NUMBER
 18 February 2000
 DATE

A33002-PCT USA - 072667.0124

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

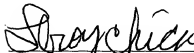
Applicants : FREYSSINET, Georges et al.
Serial No. : To be assigned
Filed : 18 August 1998
For : GENE CODING FOR ANDROCTONINE, VECTOR
CONTAINING SAME AND TRANSFORMED
DISEASE RESISTANT PLANTS OBTAINED

EXPRESS MAIL CERTIFICATION

Express Mail Mailing No. EJ621295275US

Date of Deposit - February 18, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Box PCT, Assistant Commissioner for Patents, Washington, D.C., 20231.



Signature of person mailing
correspondence

Name of person mailing correspondence: Leroy Chick